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New York, NY 10055

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BY ELECTRONIC TRANSMISSION

Submission No. 21-113
October 1, 2021

Mr. Christopher J. Kirkpatrick
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Amendments to Exchange Rule 4.18 - Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, (the “Act”) and Commodity Futures Trading Commission (“Commission”) Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) self-certifies the amendments to Exchange Rule 4.18, “Order Entry,” set forth in Exhibit A.

The amendments align the existing Exchange Rule with the amended definition of “branch office” recently enacted by the National Futures Association. The existing Exchange Rule provides that Customer orders may only be entered from the premises of an entity registered to conduct Customer business. However, the amended National Futures Association definition of branch office does not require all offices to be registered by such entities and employees may now enter Customer orders from those unregistered locations. As such, the Exchange has determined to amend Rule 4.18, “Order Entry,” to align with the amended definition of “branch office.” The amendments provide that Customer orders may only be entered from the premises of an entity appropriately registered to conduct Customer business or any another location designated by such entity.

The Exchange is not aware of any opposing views and certifies that the amendments to Exchange Rule 4.18, which will become effective on October 19, 2021, or such other date as the Exchange may determine, which shall be no sooner than 10 business days after receipt of this submission by the Commission, comply with the requirements of the Act and the rules and

regulations promulgated thereunder. Specifically, the amendments comply with the following Core Principles, as set forth in the Act:

COMPLIANCE WITH RULES

The amendments pertaining to the entry of Customer orders are codified in Rule 4.18 and will be enforced by the Exchange.

AVAILABILITY OF GENERAL INFORMATION

The Exchange is publicly posting the amendments to Rule 4.18, in furtherance of Core Principle 7 and CFTC Regulation § 38.401, to ensure that market participants have updated information related to the entry of Customer orders.

PROTECTION OF MARKETS AND MARKET PARTICIPANTS

The amendments comply with Core Principle 12 and CFTC Regulation § 38.651, which provides that a designated contract market must have and enforce rules that are designed to promote fair and equitable trading and to protect the market and market participants from abusive practices including fraudulent, noncompetitive, or unfair actions, committed by any party.

The Exchange further certifies that, concurrent with this filing, a notice of pending certification was posted on the Exchange’s website as well as a copy of this submission, which may be accessed at (<https://www.theice.com/futures-us/regulation>).

If you have any questions or need further information, please contact me at 312-836-6745 or at patrick.swartz@ice.com.

Sincerely,



Patrick Swartz
Director
Market Regulation

Enc.

EXHIBIT A

Rule 4.18. Order Entry

* * *

(e) Orders for a Customer Account, other than an order entered by a Customer for its own account, may only be entered from:

(i) the Trading Floor of the Exchange by a Registered Operator in accordance with paragraphs (b) and (d) above; or

(ii) the premises of an entity appropriately registered to conduct Customer business or any other location designated by such entity by a Registered Operator who is also registered with such entity as an associated person or in a comparable capacity under applicable law.

* * *

[REMAINDER OF RULE UNCHANGED]